

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

LINEX TECHNOLOGIES, INC.	§	
	§	
Plaintiff,	§	
vs.	§	
	§	
BELKIN INTERNATIONAL, INC.,	§	Civil Action No. 2:07-cv-222-LED
BUFFALO TECHNOLOGY (USA), INC., D-	§	
LINK SYSTEMS, INC., CISCO-LINKSYS	§	JURY TRIAL DEMANDED
LLC, NETGEAR INC., PHOEBE MICRO,	§	
INC., SOHOWARE, INC., TRENDNET	§	
SYSTEM INC., WAVION, INC., ACER,	§	
INC., ASUS COMPUTER	§	
INTERNATIONAL, DELL INC.,	§	
GATEWAY, INC., LENOVO (UNITED	§	
STATES) INC., and TOSHIBA AMERICA	§	
INFORMATION SYSTEMS, INC.	§	
	§	
	§	
Defendants.	§	

**COMPLAINT**

Plaintiff, Linex Technologies, Inc. (“Linex”), brings this action against the Defendants Belkin International, Inc. (“Belkin”), Buffalo Technology (USA), Inc. (“Buffalo”), D-Link Systems, Inc. (“D-Link”), Cisco-Linksys LLC (“Linksys”), Netgear Inc. (“Netgear”), Phoebe Micro, Inc. (“Phoebe”), SOHOWare, Inc. (“SOHOWare”), Trendnet System Inc. (“Trendnet”), Wavion, Inc. (“Wavion”), Acer, Inc. (“Acer”), Asus Computer International (“Asus”), Dell Inc. (“Dell”), Gateway, Inc. (“Gateway”), Lenovo (United States) Inc. (“Lenovo”), and Toshiba America Information Systems, Inc. (“Toshiba”), and for its causes of action alleges:

**The Parties**

1. Linex is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business at 187 Highway 36, West Long Branch, New Jersey 07764.

2. Upon information and belief, Belkin is a corporation organized and existing under the laws of the State of Delaware and is doing business in this judicial district and elsewhere. Belkin may be served with process by serving its registered agent, National Registered Agents, Inc. at 160 Greentree Drive, Suite 181, Dover, DE 19904.

3. Upon information and belief, Buffalo is a corporation organized and existing under the laws of the State of Delaware and is doing business in this judicial district and elsewhere. Buffalo may be served with process by serving its registered agent, Makoto Maki at 4030 W. Braker Lane, Ste 120, Austin, TX 78759.

4. Upon information and belief, D-Link is a corporation organized and existing under the laws of the State of California and is doing business in this judicial district and elsewhere. D-Link may be served with process by serving its registered agent, Nancy Lemm at 17595 Mt. Hermann Street, Fountain Valley, California 92708.

5. Upon information and belief, Linksys is a corporation organized and existing under the laws of the State of California and is doing business in this judicial district and elsewhere. Linksys may be served with process by serving its registered agent, Mark Chandler at 170 West Tasman Drive, San Jose, California, 95134-1706.

6. Upon information and belief, Netgear is a corporation organized and existing under the laws of the State of Delaware and is doing business in this judicial district and elsewhere. Netgear may be served with process by serving its registered agent, Incorporating Service, Ltd at 3500 South Dupont Highway, Dover, DE 19901.

7. Upon information and belief, Phoebe is a corporation organized and existing under the laws of the State of California and is doing business in this judicial district and elsewhere. Phoebe may be served with process by serving its registered agent, Peter Lui at 47606 Kato Road, Fremont, California 94538.

8. Upon information and belief, SOHOWare is a corporation organized and existing under the laws of the State of California and is doing business in this judicial district and elsewhere. SOHOWare may be served with process by serving its registered agent, Chin-Tu Wu at 3050 Coronado Drive, Santa Clara, California 95054.

9. Upon information and belief, Trendnet is a corporation organized and existing under the laws of the State of California and is doing business in this judicial district and elsewhere. Trendnet may be served with process by serving its registered agent, Sharon Chang at 23240 Hawthorne Blvd., Suite 215, Torrance, California 90505.

10. Upon information and belief, Wavion is a corporation organized and existing under the laws of the State of Delaware and is doing business in this judicial district and elsewhere. Wavion may be served with process by serving its registered agent, The Corporation Trust Company at Corporation Trust Center, 1290 Orange Street, Wilmington, DE 19801.

11. Upon information and belief, Acer is a corporation organized and existing under the laws of the State of California and is doing business in this judicial district and elsewhere. Acer may be served with process by serving its registered agent, CT Corp System at 350 St. Paul Street, Dallas, TX 75201.

12. Upon information and belief, Asus is a corporation organized and existing under the laws of the State of California and is doing business in this judicial district and elsewhere. Asus may be served with process by serving its registered agent, Ron Lemieux at 600 Hansen Way, Palo Alto, California, 94304-1043.

13. Upon information and belief, Dell is a corporation organized and existing under the laws of the State of Delaware and is doing business in this judicial district and elsewhere. Dell may be served with process by serving its registered agent, Corporation Services Company at 701 Brazos Street, Suite 1050, Austin, Texas 78701.

14. Upon information and belief, Gateway is a corporation organized and existing under the laws of the State of Delaware and is doing business in this judicial district and elsewhere. Gateway may be served with process by serving its registered agent, The Corporation Trust Company at Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801.

15. Upon information and belief, Lenovo is a corporation organized and existing under the laws of the State of Delaware and is doing business in this judicial district and elsewhere. Lenovo may be served with process by serving its registered agent, C T Corporation System at 350 N. St. Paul Street, Dallas, TX 75201.

16. Upon information and belief, Toshiba is a corporation organized and existing under the laws of the State of California and is doing business in this judicial district and elsewhere. Toshiba may be served with process by serving its registered agent, C T Corporation System at 350 N. St. Paul Street, Dallas, TX 75201.

### **Jurisdiction and Venue**

17. This is an action for infringement of a United States patent. Accordingly, this action arises under the patent laws of the United States of America, 35 U.S.C. § 1 et. seq. and jurisdiction is properly based on Title 35 United States Code, particularly § 271, and title 28 United States Code, particularly § 1338(a).

18. Venue is proper in this district under Title 28 United States Code §§ 1391(b-c) and 1400(b). Upon information and belief, each Defendant has transacted business in this district or has committed and/or induced acts of patent infringement in this district.

### **Claims For Patent Infringement**

19. On June 29, 2004, United States Patent Number 6,757,322 (“the ‘322 patent”), which is entitled “Space Diversity and Coding, Spread-Spectrum Antenna and Method,” was duly and legally issued. The ‘322 patent is directed generally to transmitting and receiving wireless, spread spectrum signals using multiple antennas. A true and correct copy of the ‘322 patent is attached as Exhibit A.

20. Pursuant to 35 U.S.C. § 282, the ‘322 patent is presumed valid.

21. By assignment, Linex is the sole owner of the ‘322 patent and has the exclusive right to enforce the ‘322 patent.

22. Belkin manufactures and sells wireless network products incorporating multiple input/multiple output (MIMO) technology, including but not limited to the Wireless G Plus

MIMO Router, Wireless G Plus MIMO Notebook Card, Wireless G Plus MIMO USB Adapter, N1 Wireless Router, N1 Wireless Notebook Card, N1 Wireless Desktop Card, and N1 Wireless USB Adapter. By manufacturing and selling these products, Belkin has in the past and continues to infringe, contribute to the infringement of, or induce the infringement of claims 25 and 33 of the '322 patent, either literally or under the doctrine of equivalents.

23. Buffalo manufactures and sells wireless network products incorporating multiple input/multiple output (MIMO) technology, including but not limited to the WZR-G108, WLI-CB-G108, WZR-G300N, WLI-PCI-G300N, WLI-CB-G300N, WZR-AG300NH, WLI-CB-AG300N, and WLI-U2-G300N models. By manufacturing and selling these products, Buffalo has in the past and continues to infringe, contribute to the infringement of, or induce the infringement of claims 25 and 33 of the '322 patent, either literally or under the doctrine of equivalents.

24. D-Link manufactures and sells wireless network products incorporating multiple input/multiple output (MIMO) technology, including but not limited to the DI634M, DWL-G520M, DWL-G650M and DIR-855 models. By manufacturing and selling these products, D-Link has in the past and continues to infringe, contribute to the infringement of, or induce the infringement of claims 25 and 33 of the '322 patent, either literally or under the doctrine of equivalents.

25. Linksys manufactures and sells wireless network products incorporating multiple input/multiple output (MIMO) technology, including but not limited to the WRT-150N, WRT-330N, WRT-300N, WRT-350N, WRV2440N, WRT54GX, WRT54GX4, WRT54GX2, WAP4400N, WAP54GX, WMP300N, WPC4400N, WUSB300N, WMP54GX4, WPC54GX, WUSB54GX4 and WRV200 models. By manufacturing and selling these products, Linksys has

in the past and continues to infringe, contribute to the infringement of, or induce the infringement of claims 25 and 33 of the '322 patent, either literally or under the doctrine of equivalents.

26. Netgear manufactures and sells wireless network products incorporating multiple input/multiple output (MIMO) technology, including but not limited to the WPN824, WPN834B, WPN854T, WPN311, WPN111, WPN511, WNR834B, WNR854T, WNR834M, WPNT834, WN121T, WN311B, WN311T, WN511B, WN511T, WPNT121, and WPNT511 models. By manufacturing and selling these products, Netgear has in the past and continues to infringe, contribute to the infringement of, or induce the infringement of claims 25 and 33 of the '322 patent, either literally or under the doctrine of equivalents.

27. Phoebe manufactures and sells wireless network products under the Airlink brand name incorporating multiple input/multiple output (MIMO) technology, including but not limited to the AR625W 300N, AWLC6045 300N, AWLH6045 300N, AR525W MIMO XR, AWLC5025 MIMO XR, AWLH5026 MIMO XR and AWLH5025 MIMO XR models. By manufacturing and selling these products, Phoebe has in the past and continues to infringe, contribute to the infringement of, or induce the infringement of claims 25 and 33 of the '322 patent, either literally or under the doctrine of equivalents.

28. SOHOware manufactures and sells wireless network products incorporating multiple input/multiple output (MIMO) technology, including but not limited to the AeroGuard line of products. By manufacturing and selling these products, SOHOware has in the past and continues to infringe, contribute to the infringement of, or induce the infringement of claims 25 and 33 of the '322 patent, either literally or under the doctrine of equivalents.

29. Trendnet manufactures and sells wireless network products incorporating multiple input/multiple output (MIMO) technology, including but not limited to the TEW-623PI, TEW-621PC, TEW-624UB, TEW-631BRP, TEW-630APB, TEW-601PC, and TEW603PI models. By manufacturing and selling these products, Trendnet has in the past and continues to infringe, contribute to the infringement of, or induce the infringement of claims 25 and 33 of the '322 patent, either literally or under the doctrine of equivalents.

30. Wavion manufactures and sells wireless network products incorporating multiple input/multiple output (MIMO) technology, including but not limited to the WS410 model. By manufacturing and selling these products, Wavion has in the past and continues to infringe, contribute to the infringement of, or induce the infringement of claims 25 and 33 of the '322 patent, either literally or under the doctrine of equivalents.

31. Acer manufactures and sells laptop computers that incorporate wireless network features using multiple input/multiple output (MIMO) technology, including but not limited to the Acer Ferrari 1000 model. By manufacturing and selling these products, Acer has in the past and continues to infringe, contribute to the infringement of, or induce the infringement of claims 25 and 33 of the '322 patent, either literally or under the doctrine of equivalents.

32. Asus manufactures and sells wireless network products and laptop computers that incorporate wireless network features using multiple input/multiple output (MIMO) technology, including but not limited to the WL-500W, WL-100W, and WL-566gM wireless routers and the S6Fm, V1Jp, VX2, W2P and W6Fp laptop models. By manufacturing and selling these products, Asus has in the past and continues to infringe, contribute to the infringement of, or induce the infringement of claims 25 and 33 of the '322 patent, either literally or under the doctrine of equivalents.



33. Dell manufactures and sells laptop computers that incorporate wireless network features using multiple input/multiple output (MIMO) technology, including but not limited to the XPS and Inspiron models that include the Dell Wireless 1500 card. By manufacturing and selling these products, Dell has in the past and continues to infringe, contribute to the infringement of, or induce the infringement of claims 25 and 33 of the '322 patent, either literally or under the doctrine of equivalents.

34. Gateway manufactures and sells laptop computers that incorporate wireless network features using multiple input/multiple output (MIMO) technology, including but not limited to the NX860X and NX860XL models. By manufacturing and selling these products, Gateway has in the past and continues to infringe, contribute to the infringement of, or induce the infringement of claims 25 and 33 of the '322 patent, either literally or under the doctrine of equivalents.

35. Lenovo manufactures and sells laptop computers that incorporate wireless network features using multiple input/multiple output (MIMO) technology, including but not limited to the 3000 C200, 3000 N100, and 3000 V100 models. By manufacturing and selling these products, Lenovo has in the past and continues to infringe, contribute to the infringement of, or induce the infringement of claims 25 and 33 of the '322 patent, either literally or under the doctrine of equivalents.

36. Toshiba manufactures and sells laptop computers that incorporate wireless network features using multiple input/multiple output (MIMO) technology, including but not limited to the Satellite A205 model. By manufacturing and selling these products, Toshiba has in the past and continues to infringe, contribute to the infringement of, or induce the infringement of claims 25 and 33 of the '322 patent, either literally or under the doctrine of

equivalents.

37. The infringement of the '322 patent, as alleged in the preceding paragraphs, has injured Linex, and Linex is entitled to recover damages in an amount that adequately compensates it for the Defendants' infringement of the '322 patent, which in no event can be less than a reasonable royalty.

**Demand for Jury Trial**

38. Linex demands a jury trial on all claims and issues.

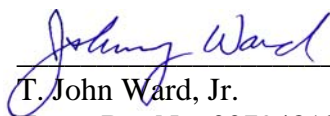
**Prayer for Relief**

WHEREFORE, Linex prays for entry of judgment:

- A. That Defendants have infringed one or more of the asserted claims of the '322 patent;
- B. That Defendants account for and pay to Linex all damages caused by the infringement of the '322, which by statute can be no less than a reasonable royalty;
- C. That Linex be granted pre-judgment and post-judgment interest on the damages caused by reason of Defendants' infringement of the '322 patent;
- D. That this be considered an exceptional case;
- E. That Linex be granted its attorneys' fees in this action;
- F. That costs be awarded to Linex;
- G. That Linex be granted such other and further relief that is just and proper under the circumstances.

Respectfully submitted,

Date: 06/01/2007



---

T. John Ward, Jr.  
Texas Bar No. 00794818  
Ward and Smith Law Firm  
111 W. Tyler Street  
Longview, Texas 75601  
Telephone: (903) 757-6400  
Facsimile: (903) 757-2323  
Email: [jw@jwfirm.com](mailto:jw@jwfirm.com)

Edward W. Goldstein  
Texas Bar No. 08099500  
Christopher M. Faucett  
Texas Bar No. 00795198  
Matt Prebeg  
Texas Bar No. 00791465  
Corby R. Vowell  
Texas Bar No. 24031621  
GOLDSTEIN, FAUCETT & PREBEG L.L.P  
1177 West Loop South, Suite 400  
Houston, TX 77027  
Telephone: (713) 877-1515  
Facsimile: (713) 877-1737  
Email: [egoldstein@gfpiplaw.com](mailto:egoldstein@gfpiplaw.com)  
[cfaucett@gfpiplaw.com](mailto:cfaucett@gfpiplaw.com)  
[mprebeg@gfpiplaw.com](mailto:mprebeg@gfpiplaw.com)  
[cvowell@gfpiplaw.com](mailto:cvowell@gfpiplaw.com)

*ATTORNEYS FOR PLAINTIFF*